

The Board of County Commissioners met in special session on March 26, 2020. Those present for the session were, Don Batchelder, Chair; Ben Tisdell, Vice-Chair; John E. Peters, Commissioner Member; Connie Hunt, County Administrator; Carol Viner, County Attorney; and Hannah Hollenbeck, Deputy Clerk of the Board.

- **Note – This meeting was recorded for reference purposes. The meeting was conducted virtually pursuant to Resolution 2020-007 Setting Forth a Virtual Meeting Policy During a Local Disaster Emergency.**

**8:30AM**      **The Board of County Commissioners will meet in a Special Meeting concerning possible participation in alternative COVID-19 blood testing option: (The BOCC may need to convene as the Board of Health.)**

*Tanner Kingery, County Public Health Director; Glenn Boyd, County Emergency Manager, and Dr. Andrew Yeowell, County EMS Medical Officer, and Dr. Joel Gates, Public Health Medical Officer, were present.*

Commissioner Batchelder invited Kingery to explain the request.

Kingery explained that a resident of Ouray County had reached out to United Biomedical (UBI) to inquire about performing a large-scale antibody testing initiative similar to what was being done in San Miguel County. Kingery said that the proposal was for 9,600 tests in order for the test to be administered twice for an anticipated cost of \$230,400. Kingery indicated that the individual may be willing to cover some of the costs; but that the amount was undetermined and that the community member had several stipulations. Kingery read an email from the resident regarding the stipulations: the County would need to commit to 100% testing; the County would need to develop the plan and commit resources to get the testing done as soon and as safely as possible; the County would need to pay for any additional costs outside the cost of the test kits; the County utilize the testing data to encourage isolation and quarantine; the County consider lifting public health orders or restrictions based on the test results; the County utilize a public outreach program to encourage participation; and the County reimburse the resident for the cost of the testing.

Commissioner Tisdell clarified if the test being proposed was the same antibody test that San Miguel County was undertaking. He said that the antibody test would not necessarily test for the presence of the virus. Kingery affirmed that Commissioner Tisdell was correct. He asked Dr. Yeowell to explain the difference between the tests.

Dr. Yeowell confirmed that the test being proposed was identical to the large-scale antibody testing being undertaken by San Miguel County. He said that the test tested for the presence of "IGG" or the antibody needed to fight the virus. Dr. Yeowell said that, while the data was useful, it was not the test that the County needed right now. He recommended that the Board not pursue the proposal. He said that Montrose Memorial Hospital (MMH) was offered the opportunity to engage in the same test but decided not to pursue it. Dr. Yeowell outlined his reasoning for not recommending the test: he said that it endangered public health as it could provide a false sense of security. Additionally, it could result in confusion as a "positive" result would mean that the person had the antibody. Dr. Yeowell said that the focus should be on identifying those who were currently infected with the virus. Additionally, Dr. Yeowell said that administering the tests would deplete the current stockpile of personal protective equipment (PPE) in Ouray County. Dr. Yeowell recognized that the test could be useful in determining if first responders had the antibody, and therefore may not need the level of PPE that would be required for someone who did not have the antibody. The test would require a significant volunteer undertaking to administer the test two times, two weeks apart, potentially increasing the chance of community spread. He concluded his statement by saying Ouray County would be better served by investing in antigen tests that indicated if the person had the virus, or on PPE.

Commissioner Tisdell said that the antibody test served a purpose in San Miguel County and that they had good reasons, including the requisite PPE and support staff to administer the test. He asked if Dr. Yeowell knew how the test was being implemented. Dr. Yeowell said that residents were being asked to queue six feet apart at a designated testing site. He said that the test was being conducted in phases based on areas and populations.

Commissioner Peters confirmed that the request for Ouray County antibody tests came from a resident. Kingery confirmed that the tests had not been requested by Unified Command or the Public Health Director; it was a citizen initiative.

Commissioner Batchelder inquired about the County's PPE resources. Kingery said that the County did have limited PPE resources; but that administering the test would deplete the reserves which would significantly affect first responders when a surge occurred. He agreed with Dr. Yeowell's recommendation to not pursue the testing.

Dr. Gates agreed with Dr. Yeowell's statement. He said that the science was relatively untested and there was a chance for reinfection of patients that tested positive for the antibody. He said that San Miguel County had set up testing sites with twelve lines for residents to queue. Each person received a mask; PPE was available as a San Miguel County resident had a personal stockpile.

Commissioner Batchelder asked if Dr. Gates and Dr. Yeowell agreed that, while the antibody testing may be beneficial from a research standpoint, it would not be beneficial to Ouray County given the assets available. Dr. Gates and Dr. Yeowell both agreed.

John Wood, City of Ouray Council Member, asked Dr. Yeowell to provide a synopsis between the antigen and the antibody tests. Dr. Yeowell explained that the antibody test identified may have had the disease

and developed and antibody. The antigen test identified patients that actively had the disease; once the patient recovered, it was possible that the patient could seroconvert may subsequently test positive for the antibody.

Alex Fremgen, County resident, asked what percentage of people did not seroconvert, and if it could be attributed to a compromised immune system. Dr. Yeowell said that the percentage was unknown, and that that not seroconverting was not necessarily indicative of a compromised immune system.

John Clark, Town of Ridgway Mayor, said that research indicated that the best thing to do was the antigen test. He asked if local governments could put pressure on the State to provide wide-spread antigen testing and more tests specifically to Ouray County. Kingery said that 100 antigen tests had been ordered through the State Emergency Operations Center (EOC), but that they were delayed until mid-April. He said that it was very difficult to get the test kits.

Dr. Yeowell said that MMH had elected to stop using the nasal swab kit as the turnaround time for results was approximately ten days. He said that MMH was utilizing a different lab located in Pennsylvania that was delivering results in 24 to 72 hours. He said that the County could pursue obtaining antigen tests through that lab. Dr. Yeowell expected that there would be another spike of infection in the fall.

Dr. Gates agreed that tests were extremely difficult to obtain. He said that Mountain Medical had ordered twenty antigen tests, but had only received ten. He added that PPE was difficult to obtain.

Commissioner Batchelder asked if the County would work with MMH to obtain antigen tests. Dr. Yeowell said that he could provide the proper contacts to Kingery.

Barthold Lichtenbelt, Ouray County resident, asked what criterion was needed for the Board to consider lifting all or some of the public health orders. Commissioner Batchelder said that the County had certain orders in place, but the State had issued a "Stay-at-Home Order" that was in effect until April 11. Kingery said that until the State order was either extended or rescinded, County residents were required to comply with the order. Viner concurred with Kingery, with the caveat that the County could elect to adopt more stringent orders. She noted that the County had issued a specific order to close short-term lodging until April 30, 2020. Lichtenbelt said that date-specific restrictions were not the right thing to be doing. Viner said that governmental orders needed to have end dates: the orders could be rescinded or extended. She said that there was no data to rely on to make truly informed decisions in this regard. Lichtenbelt stated that he fully supported the Stay-at-Home Order, but questioned how long it would last. Commissioner Batchelder said that it was impossible to assess the length of the order. Dr. Yeowell agreed.

Boyd said that Dr. Yeowell had mentioned the benefits of the antibody test for first responders. He asked if first responders would be required to isolate for 14 days between the two tests. Dr. Yeowell said that there were good models that first responders could follow in the case of potential exposure or positive tests. He said that if first responders were given the antibody test, it may not be necessary to isolate, but PPE would have to be worn all times.

Addie Tish, Ridgway resident, said that it would be ideal if both tests could be available.

Dr. Yeowell reiterated that he strongly recommended that the Board not pursue antibody testing. He said that it was more a public danger than a benefit. He said that all efforts should be invested in practicing good personal protection and hygiene efforts.

MaryAnn Jackson, County resident, said that there were 25 ventilators at MMH. She inquired about the ethics guidelines that determined which patients received care. Dr. Yeowell said that MMH had an ethics committee that would mobilize to weigh in on the decision, and that it would be situation-specific. He said that it was recommended that those at risk have do-not-resuscitate (DNR) discussions and directives in place.

Dolgio Nergui, Ouray resident, said that there was some discussion that the virus may have been present in the community in December and January. She did not think that was likely based on the epidemiology available. She asked Dr. Yeowell to further explain why he did not think the antibody testing was worthwhile at this point in time. Dr. Yeowell said that positive test results could result in bad public health behaviors by giving a false sense of security.

Jeff Bockes, County resident, asked if 100 antigen tests were adequate. He asked how the County could communicate how many test kits were truly needed. Dr. Yeowell said that it was difficult to know how many tests should be ordered. He said that he was working with Kingery on determining how to get more antigen test kits in the pipeline.

Commissioner Tisdell said that the purpose of the meeting was to discuss whether or not the County should recommend to Unified Command to purchase the antibody testing, as proposed by a resident. He said that in light of the antigen test shortage, other counties were utilizing self-reporting spreadsheets to report symptoms.

Dr. Gates stated that anyone with mild symptoms should immediately self-quarantine. He said that Mountain Medical was transitioning to telehealth services to limit exposure.

Erin McIntyre, Ouray County Plaindealer Co-Owner, asked if the resident who was offering to front the money for antibody tests would consider helping with procuring the antigen tests. Kingery said that he would follow up with the individual.

McIntyre asked about the status of the County's request for the National Guard to conduct a drive-by antigen testing site in Ouray County, similar to what had been done in San Miguel and Montrose

Counties. Boyd said that Ouray County had made the request; however, the National Guard elected only to test in Montrose and San Miguel Counties based on what would give a better snapshot of the region.

Commissioner Tisdel thanked Dr. Yeowell and Dr. Gates for their input. He said that conducting the antibody test would require a significant logistical undertaking and would potentially expose public health and first responders to infection during a time when they needed to be protected. He said that the County did not have a stockpile of PPE. Commissioner Tisdel said that the information received from experts supported the Board not proceeding with the antibody testing.

Commissioner Peters recommended that a summary of the meeting be prepared clearly outlining the points made by Dr. Gates and Dr. Yeowell. The Board agreed.

Commissioner Tisdel thanked the individual for their offer to County for the antibody tests.

The Board agreed to not pursue the antibody tests.

Commissioner Batchelder said that he had received numerous calls regarding the Governor's Stay-at-Home Order and how it related to construction activities. Commissioner Tisdel said that additional guidance had been published regarding construction sites. Viner stated that construction was exempt from the Stay-at-Home Order and that construction could continue.

**10:09 The Board of County Commissioners adjourned the special session.**

BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

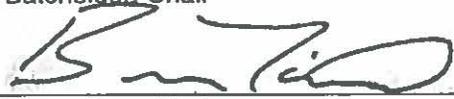
Attest:



  
Michelle Nauer, Clerk and Recorder  
By: Hannah Hollenbeck, Deputy Clerk of the Board



Don Batchelder, Chair



Ben Tisdel, Vice Chair



John E. Peters, Commissioner Member